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10/621,395	07/18/2003	Hong-Sung Chang	45452	1558

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EXAMINER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/621,395	CHANG ET AL.	
	Examiner	Art Unit	
	Meless N. Zewdu	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 March 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5,7-12,14-19,21-26 and 28* is/are rejected.

7)☒ Claim(s) *6,13,20 and 27* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to the communication filed on 3/16/07.

2. Claims 1-28 are pending in this action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 14 and 28 are rejected under 35 U.S.C. 102(e) as being anticipated by Cambell et al. (Cambell) (US (US 2003/0208601 A1).

As per claim 14: Campbell discloses a method of providing multiple services according to a plurality of service types in a data only mobile telecommunication system having an access network (AN) for communicating with an access terminal (AT) on a radio 15 channel and a packet data service node (PDSN) for providing a data service to the AT via the AN (see fig. 1; paragraphs 0012, 0036-0040), the method comprising the steps of:

transmitting data between the AT and the PDSN in traffic paths established for a plurality of service instances set to a plurality of service types by a connection for the data service (see paragraphs (0012, 0023-0025, particularly paragraph 0023);

transmitting from the AT to the PDSN via the AN a connection close message with the service type of a service instance to be terminated, upon request for termination of the service instance (see paragraphs 0012, 0023-0025, particularly paragraph 0023); and

terminating the service instance in the AT upon receipt of a connection close response message from the PDSN via the AN (see paragraphs 0023, 0038, 0043).

As per claim 28: the features of claim 28 are similar to the features of claim 14. Hence, claim 28 is rejected on the same ground and motivation as claim 14.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-5, 7-12, 14-19, 21-26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Campbell et al. (Campbell) (US 2003/0208601 A1) in view of Kohli et al. (Kohli) (US 2004/0240427 A1).

As per claim 1: while --data only mobile telecommunication system and a radio channel, in the preamble are considered as an intended use for lack of developing the body of the claim , Campbell discloses a method for accessing packet data service network (PDSN) (see fig. 2; paragraph 0024) via radio access network (see fig. 1, element 104) for communication with an access terminal (see fig. 1, element 102), comprising the steps of:

(1) establishing a connection for the data service with the PDSN (see paragraph 0012);

(2) generating a plurality of service instances for the different service types according to the session configuration (see paragraph 0035);

(3) exchanging data streams with the PDSN in a service instance corresponding to a currently provided service among the plurality of service instances (see paragraph 0025; claim 6). But, Cambell does not explicitly teach about configuring a session for setting the plurality of service types having different traffic characteristics by the connection, as argued by applicant. However, in the same field of endeavor, Kohli teaches about method and system for providing multimedia call model, wherein a call model is provided to support in a single call session any number of users as in conference and multi-party calls, any number of tele-service call and any tele-service call type (see paragraphs 0006, 0008, 0034). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of Cambell with that of Kohli for the advantage of so as to change/configure the call/session based on the activities of an end user (see paragraph 0002).

As per claim 2: Campbell discloses a method, wherein in the step (1), data streams that can be processed according to the session configuration are classified into a stream type for signaling, and a plurality of stream types for the plurality of service types (see paragraphs 0025, 0035).

As per claim 3: Campbell discloses a method, wherein the plurality of stream types are a stream type for conventional data service, a stream type for a v voice call service, and a stream type for a video multimedia (see paragraphs 0025 and 0035).

As per claim 4: Campbell discloses a method, wherein the step (2) comprises the steps of:

Being assigned to a traffic channel in idle state by the AN, generating a first service instance, and establishing a first path for the first service instance with the PDSN (see paragraph 0025);

Generating a second service instance corresponding to the service type of a new service upon request for the new service according to the first service instance, and establishing a second traffic path for the second service instance (see paragraphs 0035, 0038-0040).

As per claim 5: Campbell discloses a method, wherein the second service instance generating step comprises the steps of:

transmitting to the PDSN via the AN a connection request message with the service type of the second service instance set (see paragraph 0039); and

receiving a connection response message from the PDSN via the AN in response to the connection request message (see paragraphs 0036, 0040).

As per claim 7: Campbell discloses a method, further comprising the step of selecting one of the plurality of service instances generated according to the session configuration and terminating the selected service instance (see paragraphs 0044; claim 22).

As per claim 8: Campbell discloses a method of claim wherein the step of selecting and terminating the service instance comprises the steps of:

transmitting to the PDSN via the AN a connection close message with the service type of a service instance to be terminated (see claim 22; paragraphs 0023, 0038, 0043);

receiving a connection close/suspended response message from the PDSN via the AN in response to the connection close message and terminating the service instance (see claim 22; paragraphs 0023, 0038, 0043).

As per claim 9: the features of claim 9 are similar to the features of claim 1, except configuring a first session for AT authentication between the AT and the AN, authenticating the AT according to the first session, which is discloses by Campbell (see paragraph 0008). Hence, claim 9 is rejected on the same ground and motivation as claim 1.

As per claim 10: the feature of claim 10 is similar to the feature of claim 3. Hence, claim 10 is rejected on the same ground and motivation as claim 3.

As per claim 11: the feature of claim 11 is similar to the feature of claim 4. Hence, claim 11 is rejected on the same ground and motivation as claim 4.

As per claim 12: the feature of claim 12 is similar to the feature of claim 5. Hence, claim 12 is rejected on the same ground and motivation as claim 5.

As per claim 15: the features of claim 15 are similar to the features of claim 1. Hence, claim 15 is rejected on the same ground and motivation as claim 1.

As per claim 16: the feature of claim 16 is similar to the feature of claim 2. Hence, claim 16 is rejected on the same ground and motivation as claim 2.

As per claim 17: the feature of claim 17 is similar toe the feature of claim 3. Hence, claim 17 is rejected on the same ground and motivation as claim 3.

As per claim 18: the features of claim 18 are similar to the features of claim 4. Hence, claim 18 is ejected on the same ground and motivation as claim 4.

As per claim 19: the features of claim 19 are similar to the features of claim 5. Hence, claim 19 is rejected on the same ground and motivation as claim 5.

As per claim 21: the feature of claim 7 is similar to the feature of claim 8. Hence, claim 21 is rejected on the same ground and motivation as claim 7.

As per claim 22: the feature of claim 22 is similar to the features of claim 8. Hence, claim 22 is rejected on the same ground and motivation as claim 8.

As per claim 23: the features of claim 23 are similar to the features of claim 1. Hence, claim 23 is rejected on the same ground and motivation as claim 1.

As per claim 24: the feature of claim 24 is similar to the feature of claim 3. Hence, claim 24 is rejected on the same ground and motivation as claim 3.

As per claim 25: the feature of claim 25 is similar to the feature of claim 4. Hence, claim 25 is rejected on the same ground and motivation as claim 4.

As per claim 26: the features of claim 26 are similar to the features of claim 5. Hence, claim 26 is rejected on the same ground and motivation as claim 5.

Allowable Subject Matter

Claims 6, 13, 20 and 27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments, regarding claims 14 and 28, filed on 3/16/07 have been fully considered but they are not persuasive. Arguments and corresponding responses are provided as shown below.

Argument: with regard to claims 14 and 28, applicant argues by saying that Cambell et al. (Cambell) does not disclose or teach "transmitting data between the AT and the PDSN in traffic paths/channels established for a plurality of service instances set to a plurality of service types by a connection for the data service".

Response: examiner respectfully disagrees with the argument. In that, Cambell discloses/teaches a data communication established between the AT and the PDSN in traffic paths/channels for data communication service (see fig. 1); considering the connection between the elements 102 and 108 in fig. 1 clearly shows that a data

communication between the entities mentioned takes place. Furthermore, the air interface includes a plurality of communication channels/paths (see abstract) and the system provides session for a plurality of data types (see claim 22). Therefore, the argument is not found to be persuasive and consequently, the rejection applied to the claims in question is maintained.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N. Zewdu whose telephone number is (571) 272-7873. The examiner can normally be reached on 8:30 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Banks-Harold Marsha can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any inquiry of a general nature relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

Meless Zewdu

Primary Examiner

04 June 2007.